

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL
(for nonprovisional applications under 37 CFR § 1.53(d))

DUPLICATE

Attorney Docket No. 20239-0703
First Named Inventor Cardosa
Examiner Mary Mosher
Group Art Unit 1648

Assistant Commissioner for Patents
BOX CPA
Washington, D.C. 20231

This is a request for a continuation or divisional application under 37 C.F.R. § 1.53 (d),
(continued prosecution application (CPA) of prior application number 09/147,919
filed on March 23, 1999, entitled Recombinant MVA Virus Expressing Dengue Virus
Antigens and Use Thereof in AVaccines.

The entire disclosure of the prior application referenced above, is considered as being part of the application filed herewith and is herein incorporated by reference in its entirety.

Enter the unentered amendment previously filed on November 4, 2002 under 37 CFR 1.116 in the prior nonprovisional application.

A Preliminary Amendment [] page(s) is enclosed.

This application is filed by fewer than all the inventors named in the prior application, 37 C.F.R. § 1.53(d)(4).

a. *DELETE* the following inventor(s) named in the prior nonprovisional application:

b. The inventor(s) to be deleted are set forth on a separate sheet attached hereto.

A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.

An Information Disclosure Statement (IDS) is enclosed: [] page(s) of PTO-1449 [] copies of IDS

Citations

Applicant requests Suspension of Action for a period of 3 months under 37 CFR 1.103(b). The fee under 37CFR 1.17(i) is enclosed.

A copy of a Petition for Extension of Time (3 months) filed previously in prior Application No. 09/147,919 is enclosed.

Conditional Petition for Extension of Time. An extension of time is requested to provide for timely filing if an extension of time is still required after all papers filed with this communication have been considered.

Assignment Papers are enclosed. [] page(s) of Assignment Recordation Cover Sheet and []page(s) of Assignment

A copy of a Submission of Processing & Retention Fee (37 C.F.R. § 1.78(a)(1) which is being filed simultaneously in prior Application No. _____ is enclosed.

Applicant(s) claim Small Entity Status under 37 CFR §1.27

Receipt for Facsimile Transmitted CPA (PTO/SB/29A) is enclosed.

Receipt Postcard (MPEP 503) is enclosed. (*Should be specifically itemized*)

specify

Fee Calculation				
<input checked="" type="checkbox"/> The following fees are submitted: The fees to be charged are based on claims: <input type="checkbox"/> included in the prior application <input checked="" type="checkbox"/> after entry of the Amendment filed on November 4, 2002 <input type="checkbox"/> after entry of Preliminary Amendment, attached hereto.				CALCULATIONS
		OTHER THAN SMALL ENTITY	SMALL ENTITY	
BASIC NATIONAL FILING FEE		\$ 710.00	\$ 355.00	\$ 355.00
CLAIMS	# FILED	# EXTRA	RATE	RATE
Total Claims	21 - 20 =	1	× \$18.00	× \$ 9.00 \$ 9.00
Independent claims	5 - 3 =	2	× \$80.00	× \$40.00 \$ 80.00
MULTIPLE DEPENDENT CLAIM(S)				
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No		\$270.00	\$135.00 \$
Fee for recordation of the enclosed assignment (37 CFR 1.21(h), 3.28, 3.31). n/a _____ (Numbers of Applications) × \$40.00 \$				
OTHER FEES <i>Suspension of Action for 3 months under 37 CFR 1.103(b) and 1.17(i)</i> \$ 130.00				
OTHER FEES _____ (specify) \$				
TOTAL FEES = \$ 574.00				
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed. b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>502518</u> , Docket No. <u>20239-0703</u> , in the amount of <u>\$ 574.00</u> to cover the above fees. <i>A duplicate copy of this sheet is enclosed.</i> c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>502518</u> , Docket No. <u>20239-0703</u> . <i>A duplicate copy of this sheet is enclosed.</i>				
SEND ALL CORRESPONDENCE TO: <u>Antoinette Konski</u> Bingham McCutchen, LLP Three Embarcadero Center, Suite 1800 San Francisco, CA 94111 Telephone: (415) 393-2000				
<u><i>Susan T. Hubl</i></u> SIGNATURE		<u>1/7/03</u> DATE		
<u>Susan T. Hubl, Ph.D., Patent Agent</u> NAME		<u>Reg. No. 47,668</u> REGISTRATION NUMBER		

BINGHAM McCUTCHEON

Facsimile

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DATE January 7, 2003

GROUP 1600

	NAME	FAX	PHONE
TO	Examiner Mary Mosher, Group Art Unit 1748 USPTO	(703) 308-4242	(703) 308-2926
FROM	Susan Hubl, Ph.D., Patent Agent susan.hubl@bingham.com	(415) 393-2286	(415) 393-2654
PAGES (INCLUDING THIS COVER PAGE): 7			
RE	US Patent Application Serial No 09/147,919		

OFFICIAL**Message:**

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bingham.com

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CPA Request (2 pages, 2 copies)
Copy of Request for Extension of Time
Receipt for Facsimile Transmitted CPA
FAX Cover sheet

Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on January 7, 2003.

Susan Hubl
Susan Hubl, Ph.D., Patent Agent

For transmission problems, please call (415) 393-2174

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PTO/SB/29A (08-00)

Approved for use through 10/31/2002. OMB 0651-0032

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If this RECEIPT is included with a request for a CPA filed by facsimile transmission, it will be date stamped and mailed to the ADDRESS in item 1.

1. ADDRESS Applicant's Mailing Address for this receipt must be CLEARLY PRINTED or TYPED in the box below.

Antoinette Konski
Bingham McCutchen LLP
Three Embarcadero Center, Suite 1800
San Francisco, CA 94111

NOTE: By this receipt, the USPTO (a) acknowledges that a request for a CPA was filed by facsimile transmission on the date stamped below by the USPTO and (b) verifies only that the application number provided by the applicant on this receipt is the same as the application number provided on the accompanying request for a CPA. This receipt CANNOT be used to acknowledge receipt of any paper(s) other than the request for a CPA.

2. APPLICATION IDENTIFICATION:

(Provide at least enough information to identify the application)

a. For prior application

Application No.: 09/147,919
Filing Date: March 23, 1999
Title: Recombinant MVA Virus Expressing Dengue Virus Antigens
Attorney Docket No.: 20239-0703
First Named Inventor: Cardosa

b. For instant CPA application

New Attorney Docket No.: n/a
(If applicable)

The USPTO date stamp, which appears in the box to the right, is an acknowledgement by the USPTO of receipt of a request for a CPA filed by facsimile transmission on the date indicated below.

(THIS AREA FOR PTO DATE STAMP USE)

USPTO HANDLING INSTRUCTIONS:

Please stamp area to the right with the date the complete transmission of the request for a CPA was received in the USPTO and also include the USPTO organization name that provided the date stamp (stamp may include both items). Verify that the application number provided by applicant on this receipt is the same as the application number provided by applicant on the request for a CPA accompanying this receipt. If there is an inconsistency between the application number provided on this receipt and the request for a CPA, strike through the inconsistent application number provided on this receipt and insert the correct application number, if possible. Then place in a window envelope and mail.

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.